

**FREDERICK COUNTY LIQUOR BOARD**  
***Public Meeting Minutes***  
***Monday, May 3, 2010***

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Those Present: Mr. James E. McClellan, Chairman  
Mr. Robert C. Snyder, Board Member  
Mr. Charles R. Cline, Board Member  
Mrs. Linda B. Thall, Sr. Assistant County Attorney  
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector  
Ms. Kathy L. Vahle, Administrator  
Mrs. Sandra Rees, Administrative Specialist IV

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A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:30 am by Chairman McClellan.

1. **Prospect Beer, Wine and Groceries** – Ms. Vahle stated that this establishment has requested permission to make deliveries. The Board approved deliveries for this establishment.
2. **VFW** – This establishment has licensed the whole building but it has someone who would like to lease the restaurant part of the building. The VFW will need to decrease its licensed space as when G. Hunters was there. The Board approved this request.
3. **Black Hog BBQ** – The establishment has requested permission for an outside area. The Board will send the Liquor Inspector to inspect and approve the area.
4. **Mauro's Church Street Pub** – The establishment has requested permission for an outside area. The Board will send the Liquor Inspector to inspect and approve the area.
5. **Wilcom's Inn** – The establishment has requested permission for an outside area. The Board will send the Liquor Inspector to inspect and approve the area.
6. **Amvets Post #2** - The establishment has requested permission for an outside area. They will build a six foot lattice fence so that people from the street will not be able to see into it. This means that the Liquor Inspector will not be able to see inside the area. The original request included a roof, but that made it an enclosed area, which the Health Department would not approve. The most

recent request on the plan did not have a roof on it. The Board will send the Liquor Inspector to inspect and approve the area.

7. **Kemptown Grocery** – This establishment decided to apply for a Sunday permit after the application was completed. This was not part of the advertisement.
8. **Renewals** – Ms. Vahle stated that there were ten establishments that did not show up. There are three with tax issues as of this date; one is West Winds, which turned in its license on Friday.
9. **Pretzel & Pizza Creations** – This establishment was not carrying wine but the Liquor Inspector stated that as of April 21, they now are selling wine. They also did not pick up their renewal.
10. **Licenses That Were Not Picked Up** – The following licenses were not picked up: Beef O’Bradys, Fosters Grille, Liberty Road Seafood, The Maryland Ensemble Theatre, Morningside Inn, Pretzel & Pizza Creations, Rick’s Chinatown, Frederick/Sheetz, Walkersville Bowling, Woodsboro Tavern, and West Winds Country Club.
11. **Morningside Inn** – Ms. Vahle received several calls over the weekend from the owner stating they had scheduled a wedding event for Sunday and she wanted to know what she could do since there was no license. After contacting the Board for approval, Ms. Vahle told her she could have a BYOB. The family would have to bring in the liquor and they have to take out what is left. The licensee will have to refund the money for the alcohol.
12. **Bodega** – Ms. Vahle stated that the Health Department would testify that the room where the renovation was going on was just a storage room with wire racks and not an existing bar.
13. Decision Required: New License  
RE: Lindsay N. Clark, Scott McIntosh,  
Michael King and John Clark  
for the use of Cork Ventures, LLC  
t/a Shab Row Bistro & Wine Bar  
221 B North East St.  
Frederick, MD 21701  
**Class B, On Sale, Beer, Wine and Liquor**

The Board held a hearing for a new license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items were: Occupancy Permit, Fire Marshal and the Health Department.

Michael King said the Health inspection is still pending because of a new bar top that was ordered. Frederick City Permits is waiting for the Health Department approval. The Fire Marshal has approved it. The Liquor Inspector said they are compliant.

**MOTION ONE:** Mr. Snyder made a motion for a conditional approval for June 1, 2010.

**SECOND:** Mr. Cline seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Snyder - Aye  
Mr. Cline - Aye  
Mr. McClellan-Aye

**Aye - 3 Nay - 0**

**(Motion Passed)**

14. Decision Required: New License

RE: Joseph E. Liberto for the use of  
Kemptown Grocery LLC  
t/a Kemptown Grocery LLC  
12516 Fingerboard Rd.  
Monrovia, MD 21770  
**Class A, Off Sale, Beer Only**

The Board held a hearing for a new license. Ms. Vahle swore in the applicant (See attached Sign In Sheet). The pending item is the Fire Marshal inspection. After he applied for the license, the applicant also applied for a Sunday Permit. The applicant said the Fire Marshal did inspect but they are remodeling and will need another Occupancy Permit so the Fire Marshal will inspect again. The Liquor Inspector did not inspect because they were not ready.

**MOTION ONE:** Mr. Cline made a motion for a conditional approval for July 1, 2010.

**SECOND:** Mr. Snyder seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Cline - Aye  
Mr. Snyder - Aye  
Mr. McClellan-Aye

**Aye – 3 Nay – 0**

**(Motion Passed)**

**MOTION ONE:** Mr. Snyder made a motion for approval of the Sunday Permit.

**SECOND:** Mr. Cline seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Snyder - Aye  
Mr. Cline - Aye  
Mr. McClellan-Aye

**Aye – 3 Nay – 0**

**(Motion Passed)**

15. Decision Required: Violation

RE: Ashley Pare for the use of  
Phillys CSF, Inc  
t/a **Bodega/Cellar Door**  
5 E Church Street  
Frederick, Maryland 21701  
**Class B, On Sale, Beer, Wine & Liquor**  
**License Number 11BL 1696**  
FCLB Case Number: 4212

The Board held a violation hearing for making substantial modifications to the premises without the permission of the Board. Mrs. Thall swore in the licensee. (See attached Sign In Sheet) Ashley Pare pled Not Guilty. Sandra Rees testified as to seeing the renovation that had been started. Inspector DeLauter testified as to his inspection of the area of the renovation. Wendy Cochran from the Health Department, testified as to the Health Department's inspection of the space and that it was a storage room before construction. Kathy Vahle testified as to the

receipt of a request for renovation on January 12, 2010 which was after renovation started. Pamelyn Belles testified that she did not think they were in violation because they were not changing or moving a wall.

The findings of fact were as follows: 1. On January 6, 2010, did the licensee substantially modify the interior of the licensed premises? The Board found that she had. 2. Whether the licensee failed to submit a written request for approval of the change to the Board along with a copy of the plans as of January 6, 2010. The Board found that she had.

**MOTION ONE:** Mr. Snyder made a motion for a fine of \$300 with a five day suspension of the license.

**SECOND:** Mr. McClellan seconded the motion.

**MOTION TWO:** Mr. Cline made a motion for a fine of \$500 with a five day suspension of the license.

Motion Two failed for lack of second.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the first motion.

**VOTE ON MOTION ONE:** Mr. Snyder - Aye  
Mr. McClellan - Aye  
Mr. Cline - Nay

**Aye - 2 Nay - 1**

**(Motion Passed)**

**MOTION ONE:** Mr. Snyder made a motion to approve the construction request if all the permits were completed.

**SECOND:** Mr. Cline seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE ON MOTION ONE:** Mr. Snyder - Aye  
Mr. McClellan - Aye

Mr. Cline - Aye

***Aye – 3 Nay – 0***

***(Motion Passed)***

17. **Wine Festival Guidelines** – Mr. Cline requested to discuss these guidelines, which had already been approved.
18. **Budget** – Mr. Cline asked if the Board was affected by the Budget. Ms. Vahle said the out of state travel money was cut out but other than that there was no change.
19. **Bills Passed by Legislature** – Ms. Vahle stated that a bill for the increase of hours for the Class A license was passed and signed into law effective June 1, 2010. This allows Class A licensees to sell at 11AM on Sunday instead of 12 Noon and allows them to stay open until 2AM instead of midnight every day of the week.

***ADJOURN***

The meeting was adjourned at 10:25 am.

Respectfully submitted,

Kathy Vahle, Administrator  
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees